

RECLAMATION DISTRICT No. 2029
EMPIRE TRACT
311 East Main St., Ste. 400
Stockton, California 95202

• Received via e-mail
RG
2/6/06
• Hard copy expected
tomorrow.

February 3, 2006

Colonel Ronald N. Light
District Engineer
Sacramento District
U.S. Army Corps of Engineers
1325 J Street
Sacramento, California 95814

Dear Colonel Light:

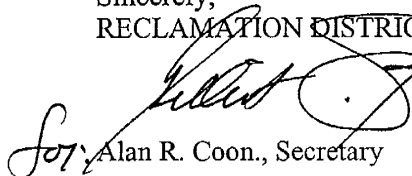
This letter conveys Reclamation District 2029's (District) intent to participate in feasibility studies and/or other actions in the development of the Empire Tract Levee Rehabilitation Project as the non-Federal sponsor consistent with the CALFED Bay-Delta Authorization Act (Public Law 108-361).

The District understands that the type, cost, and scope of actions will be determined and specified later if selected for development and/or implementation pursuant to the Act. The District also understands that if our project is approved for implementation, we will be responsible for sharing the cost of planning, designing, and implementation of the project with the U.S. Army Corps of Engineers; and accomplishing operation and maintenance of the project. However, at this time, the District has no ability to cost share on its own.

Please note that this letter of intent is not an obligation of funds. We look forward to working with the U.S. Army Corps of Engineers, the State of California, and other pertinent CALFED agencies and stakeholders on this important project.

If you have any questions, you may contact me at 209/948-0434 or Gilbert Cosio, MBK Engineers, at 916/456-4400.

Sincerely,
RECLAMATION DISTRICT No. 2029


for Alan R. Coon., Secretary

Project Proposal to the U.S. Army Corps of Engineers
CALFED Levee System Integrity Program

February 2006

Project Name: Empire Tract PL-99 Levee Rehabilitation Project.

Purpose: The purpose of the project is to increase the level of protection of the lands and inhabitants of Empire Tract, San Joaquin County, to an acceptable standard. An additional objective of the project is to provide protection to the southern exposure of Bouldin Island and Terminous Tract, two critical islands in the Central Delta.

Location: The project is located on Empire Tract, San Joaquin County, at the west end of Eight Mile Road. (Plate 1). Empire Tract is protected by levees along Disappointment Slough, Honker Cut, White Slough, Little Potato Slough, and Little Connection Slough. These 10.5 miles of levee protect 3,430 acres. (Plate 2).

Problems: Empire Tract's current levee system falls short of meeting the FEMA Short-term Hazard Mitigation Plan minimum standards. In fact, the levee overtopped during high tides of February 1988 and December 2005. The District is still paying off debt incurred during the 1983 flood; and therefore, has never been able to generate enough funds to reach the HMP minimum. Therefore, the District's levees would require a substantial amount of work to reach the PL-99 standard. The 2000 CALFED Levee Rehabilitation Study estimated that it would cost up to \$21.7 million to rehabilitate Empire Tract's levees to the PL-99 standards. Without extreme financial assistance, the District cannot undertake this size project.

Opportunities: As stated above, the District's levees protect the southern exposure of Terminous Tract and Bouldin Island. These two districts are key elements in the Delta due to the fact that they protect Highway 12, a major east-west highway through the Central Delta. Also, should the State rehabilitate those levees to the PL-99 standard, they would need to invest an estimated \$155.8 million, or roughly 15% of the entire budget estimated in 2000 to rehabilitate all non-Project levees to the PL-99 standard. By increasing the level of protection at Empire Tract, the flood risk to the neighboring islands would be reduced substantially. In addition, the City of Stockton has plans to construct a domestic municipal water intake at the southwest corner of Empire Tract. This intake would pump water into two large pipes, which would traverse the lands of Empire Tract, then head east along Eight Mile Road to North Stockton. Current estimates set this investment by the City of Stockton at approximately \$150 million. This investment would be protected by the levees of Empire Tract.

Project Description: The project would consist of exploratory geotechnical evaluation to determine existing levels of stability and provide design criteria for improvement of the levee system to meet the PL-99 requirements. The second phase of the project would be to design and construct these improvements to rehabilitate all 10.5 miles of Reclamation District No. 2029 to the PL-99 standards. Empire Tract is located on the eastern edge of the Sacramento San Joaquin Delta; and although suitable borrow material for this rehabilitation may not be available within

its boundaries, it is certainly situated very close to areas to the east where borrow material will be available at a reasonable price.

Statement of Willingness and Ability to Cost Share: Reclamation District No. 2029 has been an active participant in the Delta Levees Subventions Program for many years. In this regard, the District is comfortable with cost sharing with a governmental entity. However, the District's resources are almost completely dedicated to drainage, levee maintenance, and past debt; and therefore, it may not be able to contribute financial cost share. However, the District owns fee title to the levee; and therefore, can offer up rights of way for no cost.

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Scoping & Screening Information:

- In your opinion, what is the urgency for your proposed project? Is there an imminent threat to life, property, critical habitat, or other prominent resource?

At this time, the District has very little funds to perform more than normal maintenance on the levee. Therefore, because the levee system is quite low, as evidenced by the overtopping scenarios in 1998 and 2005, the levee is much more susceptible to failure than most levees in the Delta. Once the levee fails, the District will not be in a position to reclaim the island; and therefore, the levees on Terminous Tract and Bouldin Island would then immediately be attacked by wave action from the south.

- Would there be a change in the magnitude, frequency, or duration of flood flows in other areas of the levee system as a result of the potential project?

At this time, it is not known what level of protection the levees of Empire Tract provide. This project would determine that level and increase the level in accordance with PL-99 standards.

- What would the proposed project do to address flooding, ecosystem, water supply and quality, and other problems and needs locally and regionally?

As stated above, the project would provide additional benefits to the inhabitants and habitat located within the boundaries of Reclamation District No. 2029. The west levee of Empire Tract, along Little Potato and Little Connection Sloughs, provides conveyance benefits to water moving across the Delta from the Delta Cross Channel, to the north, to the intake facilities of the CVP and SWP to the south.

- Are there non-structural or other ways to address flooding, ecosystem, water supply and quality, and other problems in the potential project area; and if so, what are they?

At this time, there are no non-structural alternatives to address the increased level of protection that the levees provide.

- Who and/or what would benefit from the potential project?

The Project would benefit the lands within Empire Tract and its inhabitants. These lands provide mostly agricultural benefits, which include row crops. The levees protect approximately five miles of County Road, which would benefit from the protection, in addition to the five inhabitants on the island who reside within the boundaries of Empire Tract. A marina is located on the west side of the island.

- What is the likely Federal, State and local agency support?

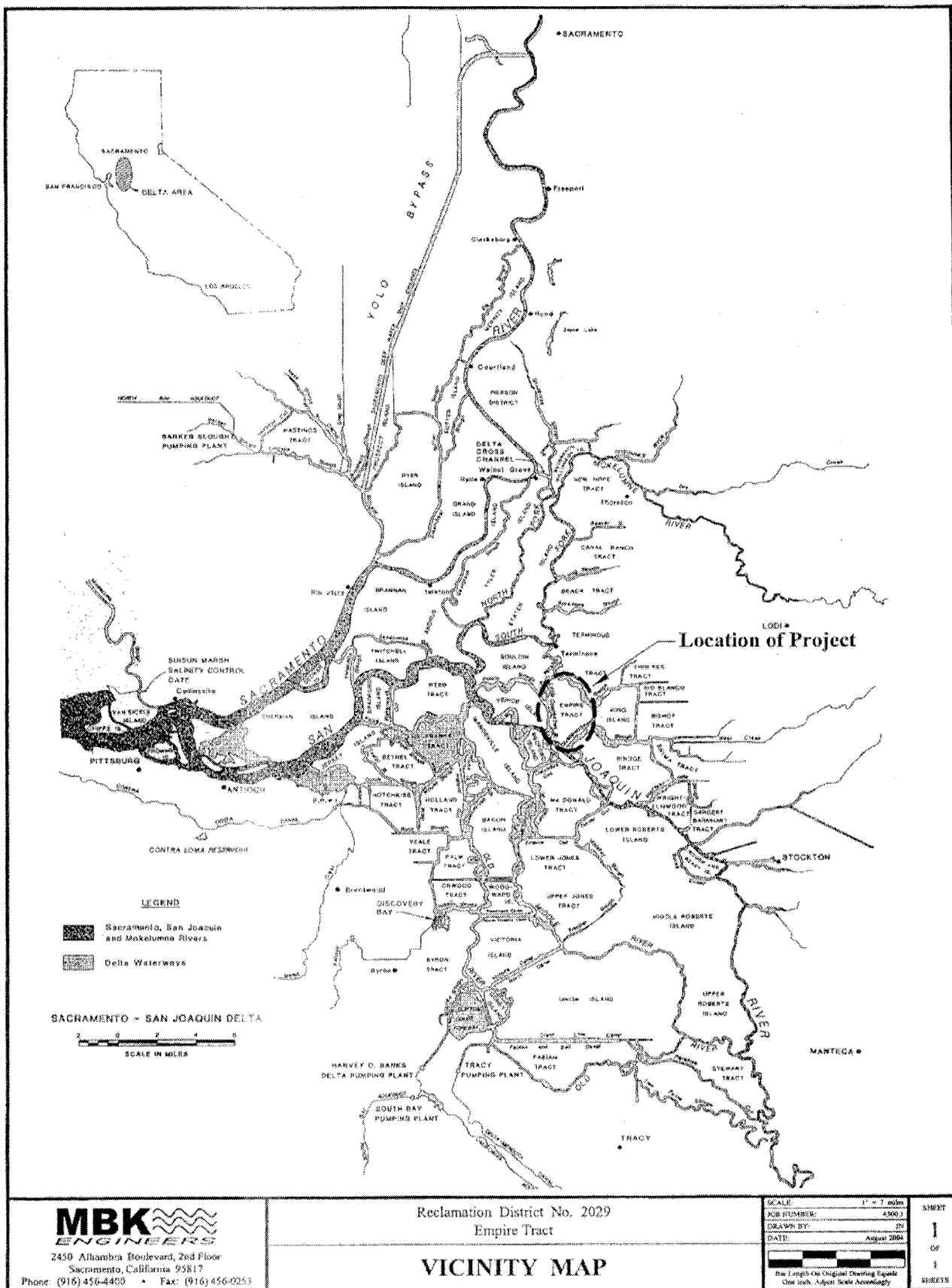
It is anticipated that State support would come from the Department of Water Resources Delta Levee Subventions Program. Local support would also come from the landowners and trustees who represent Reclamation District No. 2029, Empire Tract. It is unknown at this time whether agencies associated with exportation of water from the Delta, which rely on the west levee of Empire Tract to convey fresh Sacramento River water across the Delta to the pumping facilities, would support this work.

- Are there any known challenges or obstacles that may delay rapid development and implementation of your potential project?

At this time, there are no known challenges or obstacles that would delay rapid development and implementation of the project. At this time, it is unknown what their local cost share would be; and therefore, there may be some issues on the timing of their cost share participation.

- Is your agency ready, willing, and able to serve as a non-Federal sponsor for this potential project, and able to provide required cost-sharing and other assurances?

Reclamation District No. 2029 is willing to serve as the non-Federal sponsor for any potential projects on the island that would reduce the flood risk and protect the property and inhabitants of Empire Tract; however, it may not be able to make a monetary contribution.





Reference BM:
 "B95250"
 is inside of a white PVC pipe, located
 100 feet above the ground. Located at
 station 301+11 on the landside shoulder.

Image Source: USGS High Resolution Orthomosaic 05/2002

MBK
ENGINEERS

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Reclamation District No. 2029 - Empire Tract

DISTRICT AERIAL MAP

SHEET
 1
 OF
 1
 SHEET